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[See Signature Block for Additional Counsel]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re iPhone Application Litigation

CASE NO. 11-MD-02250-LHK

**SUPPLEMENTAL JOINT CASE
MANAGEMENT STATEMENT AND
~~PROPOSED~~ ORDER CONTINUING
AUGUST 28, 2013 CASE MANAGEMENT
CONFERENCE**

Date: August 28, 2013
Time: 2:00 p.m.
Place: Courtroom 8, 4th Floor
Judge: The Honorable Lucy H. Koh

1 Pursuant to Civil L.R. 16-10(d), the parties to this action certify that they have met and
2 conferred and jointly submit this Supplemental Joint Case Management Statement.

3 **DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS**

4 1. On June 7, 2013, the Court entered an Order, at the request of the parties, continuing
5 the Case Management Conference scheduled for June 12, 2013 to August 28, 2013. (Dkt. No. 239.)

6 2. Since entry of the Court's Order, the parties have continued to work cooperatively on
7 discovery, and Plaintiffs have taken three additional depositions of Apple personnel. The parties also
8 participated in a further mediation on August 5, 2013, which did not resolve the case.

9 3. On August 19, 2013, Plaintiffs filed their Motion for Class Certification; Apple will
10 file its opposition on September 19, 2013; and Plaintiffs will file their reply on October 10, 2013.
11 (Dkt. No. 226.)

12 4. Additionally, on September 26, 2013, Plaintiffs will file their opposition to Apple's
13 Motion for Summary Judgment (which Apple filed on May 17, 2013), and Apple will file its reply on
14 October 10, 2013. (*Id.*)

15 5. The Court is scheduled to conduct hearings on Plaintiffs' Motion for Class
16 Certification and Apple's Motion for Summary Judgment on October 31, 2013, and November 7,
17 2013, respectively. (*Id.*)

18 6. Given the current posture of the case, including the upcoming briefing on class
19 certification and summary judgment, the parties do not believe a case management conference on
20 August 28, 2013 is necessary, and believe that judicial efficiency will be maximized and the interests
21 of all parties and the Court will be best served by continuing the conference to either October 31,
22 2013 or November 7, 2013. The parties therefore respectfully request that the Court continue the
23 August 28, 2013 case management conference to October 31, 2013 or November 7, 2013 (or to a
24 later date that is convenient for the Court). The parties are attaching a proposed order.

1 DATED: August 21, 2013

Respectfully submitted,

2 KAMBERLAW, LLC

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4 By: /s/ Scott A. Kamber
Scott A. Kamber

5 *Interim Lead Counsel for Consolidated Plaintiffs*

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Executive Committee for Consolidated Plaintiffs

DATED: August 21, 2013

GIBSON, DUNN & CRUTCHER LLP

By: /s/ S. Ashlie Beringer
S. ASHLIE BERINGER

Attorneys for Defendant
APPLE INC.

ATTORNEY ATTESTATION

Pursuant to Civil Local Rule 5-1, I, S. Ashlie Beringer, hereby attest that concurrence in the filing of this document has been obtained from Scott A. Kamber.

DATED: August 21, 2013

By: /s/ S. Ashlie Beringer
S. ASHLIE BERINGER

SUPPLEMENTAL CASE MANAGEMENT STATEMENT AND ~~PROPOSED~~ ORDER

The Supplemental Case Management Statement and Proposed Order is hereby adopted by the Court as a Supplemental Case Management Order for this case. The August 28, 2013 case management conference is hereby continued to:

~~October 31, 2013, at 1:30 p.m.~~

~~OR~~

November 7, 2013, at 1:30 p.m.

~~OR~~

Dated: August 22, 2013


The Honorable Lucy H. Koh
United States District Judge